

Remarks

Status of the Application

Prior to entry of this amendment, claims 47-69 were pending. The Office Action mailed June 22 rejected claims 47-65 and 67-69 under § 103(a) as being unpatentable over US Pub. App. No. 2001/0006509 to Nguyen et al. ("Nguyen"), in view of US Pat. No. 7,054,376 to Rubinstein et al. ("Rubenstein"), and rejected claim 66 under § 103(a) as being unpatentable over Nguyen and Rubenstein, in further view of US Pat. No. 6,751,221 to Saito et al. ("Saito").

This paper amends claims 47, 58, and 62. No claims have been added or canceled. Hence, after entry of this paper, claims 47-69 will stand pending for examination. Claims 47, 58, and 62 are independent claims.

Claim Amendments

Claim 47 has been amended to specify that the first distribution point is adapted to "forward the high-speed packetized information directly to the host digital terminal distribution center without routing the high-speed packetized information through a central office." Claim 58, similarly, has been amended to indicate that the first distribution point is adapted to "forward the high-speed packetized information directly to the second of the plurality of distribution points without routing the high-speed packetized information through a central office." Claim 62, likewise, has been amended to recite "forwarding at least one of the plurality of high-speed information packets from the host digital terminal distribution center directly to a second distribution point through a distributed routing network without using a mobile switching center."

Support for these amendments can be found throughout the application, including specifically at lines 6-20 on page 12 of the specification.

Claim 47 has also been amended to correct an ambiguity introduced by a prior amendment.

Rejections under 35 U.S.C. § 103

Claims 47-65 and 67-69

Claims 47-65 and 67-69 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nguyen, in view of Rubenstein. These rejections are respectfully traversed, because the final Office Action has not demonstrated that the cited combination either teaches or suggests each element of any rejected claim. In the interest of expediting prosecution, however, independent claims 47, 58, and 62 have been further amended for clarification.

Each of independent claims 47, 58, and 62 recites routing packetized information directly between distribution points without routing that information through a central office (or mobile switching center, in the case of claim 62). Although the applicants' prior response highlighted this distinction, the Office Action appears to have disregarded that argument. Specifically, the Office Action acknowledges that Nguyen fails to disclose even the concept of multiple distribution points but cites Rubenstein as teaching this concept.

The Office Action does not allege, however, and the cited portions of Rubenstein appear not to teach, any functionality by which a first distribution point might route information directly to another distribution point without routing the information through a central office or other centralized switch. In other words, neither Nguyen nor Rubenstein appear to disclose the distributed routing functionality recited by claims 47, 58, and 62, which, in the context of the recited networks, is believed to be a novel and non-obvious feature. *See, e.g.*, Application, at page 2, line 27 – page 4, line 20 (describing limitations in prior art VDSL and video distribution networks, including the tendency for central offices to serve as routing bottlenecks).

For at least these reasons, claims 47, 58, and 62 are believed to be allowable over the combination of Nguyen and Rubenstein. Claims 48-57, 59-61, 63-65 and 67-69 are believed to be allowable at least by virtue of their dependence from allowable base claims.

Claim 66

Claim 66 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Nguyen, Rubenstein, and Saito. The Office Action relies on Saito only as teaching a dummy address value, and the addition of sight so therefore does not appear to remedy the deficiencies of the Rubenstein-Nguyen combination with respect to claim 62, from

which claim 66 depends. Claim 62, therefore, would be allowable over the combination of Nguyen Rubinstein and Saito, and claim 66, accordingly, is allowable at least by virtue of its dependence from claim 62.

Conclusion

The applicants believe that the pending claims are in condition for allowance. If it would be helpful to obtain favorable consideration of this case, the Examiner is encouraged to call and discuss this case with the undersigned.

This paper constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date: 2010-09-22

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